

FY20 Accounts

17 May 2021

Dear Junta Treasurer & Junta Board

It is a welcome achievement that the 2020 Accounts have been released 4 months after the year-end, albeit that they should have been released in March 2021.

Your letter to Homeowners has a few interesting statements which we have highlighted in red below:

“ Due to the non-celebration, the budget for the year 2021 continues as per the budget approved by the General Assembly 29 November 2019 for the year 2020. It is not an ideal situation, but it is the only legal way we can move forward. Only the Assembly can change or approve the budget. As soon as it is permitted, we will call for an Annual General Meeting. “

Our comment on this is that the rest of the world has not simply stopped because of Covid-19. Yet, Cabrera has stopped because the Junta Board say “it is the **only** legal way we can move forward”. The Junta Board excuses remain the same: “The **only** way Cabrera can exist is by allowing the Developers to avoid paying their maintenance fees and getting the homeowners to pay for everything instead”.

There is no excuse for the absence of a detailed forecast of proposed expenditure for 2021. This should have been produced last year. With sufficient transparency, we could all have reviewed the forecast and detailed commentary and voted by proxy.

Furthermore, there is no excuse for the complete absence of any plan with timescales to complete the Cabrera urbanisation. This is the primary purpose of the Junta.

“Our electrical engineer, Miguel Carra, has confirmed after all this time, we now have the full approval from Endesa as well as the Ministry of Energy for the installation of one of the two Transformers, with this in hand we can now seek full detailed estimates of the work involved, once received we will Inform all owners and request a meeting with the Town Hall to ensure we are collaborating. The financing of this first stage will be explained once we receive full detailed estimates.”

Our comments on this are:

You state that “**our** electrical engineer, Miguel Carra has confirmed.....”. We must point out that the Homeowners do not require the services of an electrical engineer for our maintenance activities. As evidenced by the Petition regarding the transformers, we do not want any development activity (new transformers) to be paid for by the appropriation of our maintenance fees.

Please could the Junta Developers clarify how they will be paying for the services of **their** Electrical Engineer.

We doubt very much that the Town Hall will wish to be seen to “collaborate” with this transformer work as it involves a pre-meditated misuse and misappropriation of Homeowner funds.

Many people believe that the misappropriation of our funds for the provision of electrical infrastructure would merit a jail sentence, with or without the 1993 Agreement.

The fact that the Developers intend to pay nothing at all towards the transformers which they should be providing is a disgrace, to say the least. Therefore, our view is that the Town Hall is very unlikely to authorise any such installation works.

The Junta Board members appear to be collectively complicit in their intent to progress the transformer works. Therefore, they will be jointly accountable and will not be able to say that they were not forewarned or did not know.

The fact that the Junta Board is even contemplating behaving in this way is a clear sign of the lack of respect that they seem to have for the law in Spain.

“Some owners are repetitively requesting information that has already been answered in my notes, “My Personal notes on Cabrera informative Communication” distributed 15th of December 2020, therefore, I urge they read them, if a copy is required, let us know.”

A full review of the Treasurer’s personal notes can be found here:

http://www.opencabrera.com/uploads/4/8/0/4/48042949/jc_0029_open_cabrera_review_of_treasurers_personal_message_201222.pdf

The Junta Board states the following:

The current financial situation as of 23rd April 2021

Debtors 49.846€

Late payer’s 18.594€

Bank balance 183.379€

Outstanding expenses 16.391€

We are therefore 68.440€ short of funds and there are a lot of late payers (just over double the amount recorded last year).

It seems to us that the main reason that we have any Debtors and late payers is directly related to the way the Junta Board is operating. The lack of transparency, the proposed misuse of our funds by the Junta Board and the ongoing obstruction of the Court Order against the Junta Board may be the root cause.

Perhaps the Junta Board should reflect on this.

Kind Regards

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